

## REMARKS

Claims 1 - 7 remain active in this application. Claims 1 and 5 have been amended to emphasize distinguishing features of the invention. Support for the amendments of the claims is found throughout the application, particularly in Figure 1 and the description thereof on pages 5 - 7 and in the original claims. No new matter has been introduced into the application.

Claims 1 - 2 and 4 - 6 have been rejected under 35 U.S.C. §103 as being unpatentable over Suzuki in view of Yoshimura or Redi in view of Yoshimura or Redi in view of Soliman. Claim 3 has been rejected under 35 U.S.C. §103 as being unpatentable over Redi in view of Yoshimura and Ito and Redi in view of Soliman and Ito. Claim 7 has been rejected under 35 U.S.C. §103 as being unpatentable over Redi in view of Yoshimura and Aoki et al and over Redi in view of Soliman and Aoki et al. All of these grounds of rejection are respectfully traversed.

It is noted that Suzuki, Redi, Aoki et al. and Ito have been previously applied against the claims and the discussion thereof in previous responses is hereby fully incorporated herein by reference. In particular, it has been pointed out that the processing to compensate for speed of the mobile terminal is very different from that claimed, particularly in regard to performing separate compensation for each software processing component. The Examiner has not answered any of these arguments but merely indicated them to be moot in view of the new grounds of rejection which are similar to previous grounds of rejection but now include Yoshimura or Soliman which were previously of record but not applied against the claims.

In this regard, it is respectfully submitted that, while the Examiner has asserted new grounds of rejection, the Examiner has still not properly considered a very basic feature of the invention clearly and explicitly recited in the claims and now further emphasized by the above amendments to claims 1 and 5. Specifically, none of the prior art of record captures information regarding the speed of the mobile terminal *from an external source* in order to provide compensation of the degradation caused by velocity of the mobile station. At best, the prior art of record determines change of position over time by periodically determining position using a position locating system such as GPS, Loran or the like or by relative location determining techniques such as triangulation based on signal strength analysis or the like and computes speed within the mobile terminal. The invention, in contrast, exploits the fact that speed information need not be exact for adequate compensation to be provided and provides for speed estimation by the user to be input or, in the case of the user being in a moving conveyance such as a train, for the speed to be broadcast in the conveyance. In other words, the invention simplifies the mobile terminal by avoiding any need to compute speed from other data (which may also need to be computed from other signals such as is performed in GPS systems) within the mobile terminal by the simple expedient of inputting speed information directly such as by using a keyboard and/or reception of transmitted environmental speed information.

Specifically, Suzuki discloses determination of position information from a global positioning system (GPS) and then calculates velocity from the changes in position information over time. The complexity of these required operations and the additional hardware required

are evident from Figure 2 on which the Examiner relies and the text of Suzuki, for example, at column 2, lines 15 - 52, including changing the intermittent position determination period with velocity. Yoshimura also determines velocity based on periodic position determination based on a GPS system. Likewise, Redi discloses determination of a "motion rate" at column 6, lines 18 - 40, based on internal controls such as a motion control 120 (e.g. for controlling a motor at the mobile terminal), a speed sensor 160 in the mobile terminal, a positioning system 170 (e.g. in the manner of Suzuki or Yoshimura) or as implied from the mission control apparatus 140 but does not teach or suggest direct input of speed information. Soliman, at column 4, lines 27 - 37, models motion and indicates that it is preferred to base the model on "past positional measurements" thus even more clearly failing to recognize that direct speed information input is possible or that mobile terminal simplification could be achieved by doing so. Ito also uses a GPS system based on position variation over time and/or "Doppler speed" as a speed sensor (see column 7, lines 23 - 67) as a speed sensor in the mobile terminal. Aoki et al. describes a system in which vehicle speed is detected externally to the mobile terminal but does not communicate the speed to the mobile terminal but, rather, uses that data for control of division of message signals (e.g. altering packet length) between base stations.

Therefore, it is clearly seen that none of the prior art applied against the claims *taken singly or in any combination* teaches or suggests direct input of speed information to a mobile station and cannot support the asserted conclusion of obviousness since the applied prior art *in any combination* does not lead to a an

expectation of success in obtaining the meritorious effects of the invention in providing improved compensation for mobile terminal velocity while greatly simplifying the processing and hardware requirements therein or supplying speed information to a plurality of mobile terminals in the environment of a conveyance such as a train from a single speed determining apparatus. Further, by glossing over the explicit recitations of the claims, as rejected (e.g. "*capturing* traveling speed from an external source"), the Examiner has failed to make a *prima facie* demonstration of obviousness of any claim in the application and, indeed, it is respectfully submitted that such a demonstration cannot be made based on any combination of the applied references. Moreover, the Examiner has not answered the deficiencies of the prior art argued in previous responses; admitting argued deficiencies of some references but not asserting that those deficiencies are mitigated in any way by the additional references applied such as Yoshimura or Soliman.

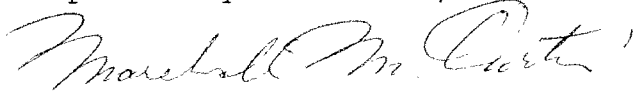
Therefore, it is respectfully submitted that the seven separately asserted grounds of rejection are clearly in error and, upon reconsideration, should be withdrawn. Moreover, in order to further emphasize this distinguishing feature of the invention which is not answered by the prior art, claims 1 and 5 have been amended to recite the provision of traveling speed *information from a source external to the mobile terminal* (e.g. a user) which approximates mobile terminal traveling speed; which information is then *captured by the mobile terminal*. Therefore, it is respectfully submitted that the grounds of rejection currently asserted are even more clearly untenable in regard to the claims as now amended. Accordingly, reconsideration and

withdrawal of the grounds of rejection of record are respectfully requested.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



Marshall M. Curtis  
Reg. No. 33,138

Whitham, Curtis, Christofferson & Cook, P. C.  
11491 Sunset Hills Road, Suite 340  
Reston, Virginia 20190

(703) 787-9400  
Customer Number: **30743**